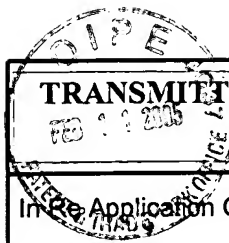


2FA

CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)			Docket No.	
Applicant(s): Myers, et al.			32/1198US(3)	
Application No. 10/750,789	Filing Date 01/02/04	Examiner TBD	Customer No. 22822	Group Art Unit 3739
Invention: Lenticular Refractive Surgery of Presbyopia, Other Refractive Errors and Cararact Retardation				
<div data-bbox="159 415 394 651"></div> <p>I hereby certify that this <u>Initial Disclosure Citation, Trans. of IDS, Cited Ref. and Ack. Postcard</u> (Identify type of correspondence)</p> <p>is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on <u>February 8, 2005</u> (Date)</p> <div data-bbox="698 966 1469 1144"><p>Geralyn Spacher (Typed or Printed Name of Person Mailing Correspondence)</p><p> (Signature of Person Mailing Correspondence)</p></div> <p>Note: Each paper must have its own certificate of mailing.</p> <div data-bbox="129 1392 1469 1984"></div>				



**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
**(Under 37 CFR 1.97(b) or 1.97(c))**

Docket No.  
32/1198US(3)

In Re Application Of: Myers, et al.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/750,789	01/02/04	TBD	22822	3739	1486

Title:

**Lenticular Refractive Surgery of Presbyopia, Other Refractive Errors, and Cataract Retardation**

Address to:  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**37 CFR 1.97(b)**

1. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

**37 CFR 1.97(c)**

2. ☐ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:
- ☐ the statement specified in 37 CFR 1.97(e);
- OR**
- ☐ the fee set forth in 37 CFR 1.17(p).

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
32/1198US(3)

In Re: Application: Myers, et al.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/750,789	01/02/04	TBD	22822	3739	1486

Title:

**Lenticular Refractive Surgery of Presbyopia, Other Refractive Errors, and Cataract Retardation**

**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☐ The Director is hereby authorized to charge and credit Deposit Account No. \_\_\_\_\_ as described below.
- ☐ Charge the amount of \_\_\_\_\_
- ☐ Credit any overpayment.
- ☐ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**Certificate of Transmission by Facsimile\***

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. _____)
_____ (Date)
_____ Signature
_____ Typed or Printed Name of Person Signing Certificate

**Certificate of Mailing by First Class Mail**

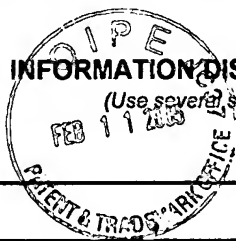
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____
02/08/05 _____ (Date)
_____ Signature of Person Mailing Correspondence
Geralyn Spacher
_____ Typed or Printed Name of Person Mailing Certificate

\*This certificate may only be used if paying by deposit account.

\_\_\_\_\_  
Signature

Dated: 02/08/05

CC:

**INFORMATION DISCLOSURE CITATION**

(Use several sheets if necessary)

ATTY DOCKET NO.

32/1198US(3)

APPLICATION NO.

10/750,789

APPLICANT(S)

Myers, et al.

FILING DATE

01/02/04

GROUP ART UNIT

3739

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)
	A	5,462,739	10/31/95	Dan, et al.			
	B	5,425,727	06/20/95	Koziol			
	C	5,423,801	06/13/95	Muller, et al.			
	D	5,412,561	05/02/95	Rosenshein, et al.			
	E	5,372,595	12/13/94	Gansterland, et al.			

**U.S. PATENT APPLICATION PUBLICATIONS**

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

**OTHER DOCUMENTS** (Including Author, Title, Date, Pertinent Pages, Etc.)

		F	Technology Incorporated, Life Sciences Division. "Final Report, Research on the Ocular Effects of Laser Radiation," Report Number 77-0561-03, Chap. 6-10
		G	Zulich, Joseph, Glickman, Randolph and Menendez, Arthur. "In Situ Measurements of Lens Fluorescence and Its Interference with Visual Function" Investigative Ophthalmology & Visual Science, Vol. 33, No. 2, Feb. 1992

EXAMINER

DATE CONSIDERED

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<b>INFORMATION DISCLOSURE CITATION</b> <i>(Use several sheets if necessary)</i>				ATTY DOCKET NO. <b>32/1198US(3)</b>		APPLICATION NO. <b>10/750,789</b>		
				APPLICANT(S) <b>Myers, et al.</b>				
				FILING DATE <b>01/02/04</b>		GROUP ART UNIT <b>3739</b>		
<b>U.S. PATENT DOCUMENTS</b>								
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUSCLASS	FILING DATE IF APPROPRIATE	
	H	5,370,641	12/06/94	O'Donnell				
	I	5,368,590	11/29/94	Itoh				
	J	5,356,407	10/18/94	Easley, et al.				
	K	5,348,551	09/20/94	Spears, et al.				
	L	5,347,329	09/13/94	Ota				
<b>U.S. PATENT APPLICATION PUBLICATIONS</b>								
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
<b>FOREIGN PATENT DOCUMENTS</b>								
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
<b>OTHER DOCUMENTS</b> <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>								
		M	Brown, Nicholas. "Dating the onset of cataract" Trans Opthal. Soc. U.K. (1976) 96, 18.					
<b>EXAMINER</b>				<b>DATE CONSIDERED</b>				
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	APPLICANT(S) <b>Myers, et al.</b>	
	FILING DATE <b>01/02/04</b>	GROUP ART UNIT <b>3739</b>

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	N	5,345,948	09/13/94	O'Donnell			
	O	5,336,216	08/09/94	Dewey			
	P	5,318,560	06/07/94	Blount			
	Q	5,312,393	05/17/94	Mastel			
	R	5,304,168	04/19/94	Sum			

**U.S. PATENT APPLICATION PUBLICATIONS**

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

**OTHER DOCUMENTS** *(Including Author, Title, Date, Pertinent Pages, Etc.)*


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				FILING DATE <b>01/02/04</b>		GROUP ART UNIT <b>3739</b>		
<b>U.S. PATENT DOCUMENTS</b>								
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
S		5,300,063	04/05/94	Tano, et al.				
T		5,300,062	04/05/94	Ueno				
U		5,300,061	04/05/94	Easley, et al.				
V		5,300,020	04/05/94	L'Esperance				
W		5,290,272	03/01/94	Burstein, et al.				
<b>U.S. PATENT APPLICATION PUBLICATIONS</b>								
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
<b>FOREIGN PATENT DOCUMENTS</b>								
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
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	APPLICANT(S) <b>Myers, et al.</b>	
	FILING DATE <b>01/02/04</b>	GROUP ART UNIT <b>3739</b>

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	X	5,288,293	02/22/94	O'Donnell			
	Y	5,282,798	02/01/94	Bruse, et al.			
	Z	5,279,298	01/18/94	Flower			
	AA	5,263,950	11/23/93	L'Esperance			
	BB	5,257,988	11/02/93	L'Esperance			

**U.S. PATENT APPLICATION PUBLICATIONS**

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

**FOREIGN PATENT DOCUMENTS**

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				APPLICANT(S) <b>Myers, et al.</b>				
				FILING DATE <b>01/02/04</b>		GROUP ART UNIT <b>3739</b>		
<b>U.S. PATENT DOCUMENTS</b>								
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
	CC	5,246,436	09/21/93	Rowe				
	DD	5,226,903	07/13/93	Mizuno				
	EE	5,217,459	06/08/93	Kamerling				
	FF	5,213,092	05/25/93	Uram				
	GG	5,203,353	04/20/93	Easley, et al.				
<b>U.S. PATENT APPLICATION PUBLICATIONS</b>								
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
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<b>INFORMATION DISCLOSURE CITATION</b> <i>(Use several sheets if necessary)</i>	ATTY DOCKET NO. <b>32/1198US(3)</b>	APPLICATION NO. <b>10/750,789</b>
	Myers, et al.	
	FILING <b>01/02/04</b>	GROUP ART <b>3739</b>

<b>U.S. PATENT DOCUMENTS</b>
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*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	HH	5,201,730	04/13/93	Easley, et al.			
	II	5,194,948	03/16/93	L'Esperance, et al.			
	JJ	5,174,021	12/29/92	L'Esperance, et al.			
	KK	5,171,242	12/15/92	Dewey, et al.			
	LL	5,152,055	10/06/92	L'Esperance, et al.			

<b>U.S. PATENT APPLICATION PUBLICATIONS</b>
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*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

<b>FOREIGN PATENT DOCUMENTS</b>
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							YES	NO

<b>OTHER DOCUMENTS</b> <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>
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				Myers, et al.				
				FILING <b>01/02/04</b>		GROUP ART <b>3739</b>		
<b>U.S. PATENT DOCUMENTS</b>								
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
	MM	5,147,349	09/15/92	Johnson, et al.				
	NN	5,122,135	06/16/92	Durr, et al.				
	OO	5,116,114	05/26/92	Nakamura, et al.				
	PP	5,057,102	10/15/91	Tomioka, et al.				
	QQ	5,048,946	09/17/91	Sklar, et al.				
<b>U.S. PATENT APPLICATION PUBLICATIONS</b>								
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
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	<b>Myers, et al.</b>	
	<b>FILING</b> <b>01/02/04</b>	<b>GROUP ART</b> <b>3739</b>

U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	RR	5,041,134	08/20/91	O'Donnell			
	SS	5,002,571	03/26/91	O'Donnell, et al.			
	TT	4,972,836	11/27/90	Schenck, et al.			
	UU	4,931,053	06/05/90	L'Esperance			
	VV	4,911,160	03/27/90	Thyzel			

U.S. PATENT APPLICATION PUBLICATIONS							
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS								
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	Myers, et al.	
	FILING <b>01/02/04</b>	GROUP ART <b>3739</b>

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
WW	4,900,143	02/13/90	Bessler, et al.			
XX	4,891,043	01/02/90	Zeimer, et al.			
YY	4,870,952	10/03/89	Martinez			
ZZ	4,866,343	09/12/89	Sakane, et al.			
AAA	4,865,029	09/12/89	Pankratov			

**U.S. PATENT APPLICATION PUBLICATIONS**

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

**FOREIGN PATENT DOCUMENTS**

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	APPLICANT(S) <b>Myers, et al.</b>			
	FILING DATE <b>01/02/04</b>		GROUP ART UNIT <b>3739</b>	

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	BBB	4,854,693	08/08/89	Ichihashi, et al.			
	CCC	4,848,340	07/18/89	Bille, et al.			
	DDD	4,837,857	06/06/89	Scheller, et al.			
	EEE	4,832,043	05/23/89	Ichihashi, et al.			
	FFF	4,830,483	05/16/89	Kohayakawa, et al.			

**U.S. PATENT APPLICATION PUBLICATIONS**

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

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U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	GGG	4,820,264	04/11/89	Matsui, et al.			
	HHH	4,772,116	09/20/88	Schroder, et al.			
	III	4,770,162	09/13/88	L'Esperance			
	JJJ	4,719,912	01/19/88	Weinberg			
	KKK	4,715,703	012/29/87	Cornsweet, et al.			

U.S. PATENT APPLICATION PUBLICATIONS							
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

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	Myers, et al.	
	FILING <b>01/02/04</b>	GROUP ART <b>3739</b>

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	LLL	4,711,541	12/08/87	Yoshino, et al.			
	MMM	4,711,540	12/08/87	Yoshino, et al.			
	NNN	4,702,245	10/27/87	Magnante			
	OOO	4,702,245	10/27/87	Schoder, et al.			
	PPP	4,686,979	08/18/87	Gruen, et al.			

**U.S. PATENT APPLICATION PUBLICATIONS**

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

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				Myers, et al.			
				FILING <b>01/02/04</b>		GROUP ART <b>3739</b>	
<b>U.S. PATENT DOCUMENTS</b>							
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
QQQ		4,682,595	07/28/87	Hoerenz, et al.			
RRR		6,669,839	06/02/87	Muchel			
SSS		4,644,948	02/24/87	Lang, et al.			
TTT		4,607,622	08/26/86	Fritch			
UUU		4,583,539	04/22/86	Karlin, et al.			
<b>U.S. PATENT APPLICATION PUBLICATIONS</b>							
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
<b>FOREIGN PATENT DOCUMENTS</b>							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES      NO
<b>OTHER DOCUMENTS    (Including Author, Title, Date, Pertinent Pages, Etc.)</b>							
<b>EXAMINER</b>				<b>DATE CONSIDERED</b>			

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<b>INFORMATION DISCLOSURE CITATION</b> <i>(Use several sheets if necessary)</i>	ATTY DOCKET NO. <b>32/1198US(3)</b>	APPLICATION NO. <b>10/750,789</b>
	<b>Myers, et al.</b>	
	FILING <b>01/02/04</b>	GROUP ART <b>3739</b>

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	VVV	4,580,559	04/08/86	L'Esperance			
	www	4,579,430	04/01/86	Bille			
	XXX	4,576,160	03/18/86	Tanaka			
	YYY	4,573,778	03/04/86	Shapiro			
	ZZZ	4,573,193	08/27/85	Tanner			

**U.S. PATENT APPLICATION PUBLICATIONS**

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

**OTHER DOCUMENTS** *(Including Author, Title, Date, Pertinent Pages, Etc.)*


<b>EXAMINER</b>	<b>DATE CONSIDERED</b>
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<b>INFORMATION DISCLOSURE CITATION</b> <i>(Use several sheets if necessary)</i>	Docket Number (Optional) <b>32/1198US(3)</b>	Application Number <b>10/750,789</b>
	Applicant(s) <b>Myers, et al.</b>	
	Filing Date <b>01/02/04</b>	Group Art Unit <b>3739</b>

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AAAA	4,502,816	03/05/85	Creter, et al.			
	BBBB	4,477,159	10/16/84	Mizuno, et al.			
	CCCC	4,263,893	04/28/81	Pavlak, et al.			
	DDDD	4,024,852	05/24/77	L'Esperance, et al.			
	EEEE	3,982,541	09/28/76	L'Esperance			

**U.S. PATENT APPLICATION PUBLICATIONS**

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

**FOREIGN PATENT DOCUMENTS**

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO

**OTHER DOCUMENTS** *(Including Author, Title, Date, Pertinent Pages, Etc.)*


<b>EXAMINER</b>	<b>DATE CONSIDERED</b>
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	Applicant(s) <b>Myers, et al.</b>	
	Filing Date <b>01/02/04</b>	Group Art Unit <b>3739</b>

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**FOREIGN PATENT DOCUMENTS**

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO

**OTHER DOCUMENTS** *(Including Author, Title, Date, Pertinent Pages, Etc.)*

	FFFF	Braham, Lewis, "Eye Surgery: It's Getting Sharper", Business Week, Oct. 18, 2004, p.142, 145.
	GGGG	Aston, Adam, "Why Settle for 20/20?", Business Week, March 17, 2003, p. 95-96.

EXAMINER	DATE CONSIDERED
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